

II. Claim Rejections Under 35 U.S.C. §112

Claims 7-9 are rejected under 35 U.S.C. §112, first paragraph. As claims 8 and 9 were canceled in the November 18, 2005 Amendment, rejection of those claims is moot. The rejection of claim 7 is traversed.

Support for the features recited in the rejected claims was provided in detail in the June 30, 2005 Amendment where it was previously pointed out that the specification and figures are replete with support for the claimed features. For example, as shown in Fig. 5, data sources 700 are connected to the input/output interface 605 through the link 705. Such data sources may correspond to data sources 111-116, as well as data sources 121-125 and 131. The data provided by such sources is described throughout the specification. Additionally, as shown in Fig. 1, such data sources are connected to databases 110, 120 and 130. The airline databases 120 and 130 are also connected to the airport management database 110. Accordingly, such connections would go through an input/output device such as that shown in Fig. 5. Thus, withdrawal of the rejection of claims 7-9 under 35 U.S.C. §112, first paragraph, is respectfully requested.

III. Claim Rejections Under 35 U.S.C. §102

Claims 1, 3, 5 and 7-16 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,913,912 to Nishimura et al. (Nishimura). As claims 8 and 9 were canceled in the November 18, 2005 Amendment, the rejection of those claims is moot. The rejection of claims 1, 3, 5, 7 and 10-16 is respectfully traversed.

The outstanding rejection of the pending claims is identical to that of the previous Office Action and accordingly fails to consider the claim amendments submitted with the November 18, 2005 Amendment. As such, the Office Action fails to provide a *prima facie* case of anticipation in rejecting the pending claims.

Moreover, Nishimura fails to disclose an airport operations managing system that provides decision support for airport operations, comprising an airport management database networked with a first data source usable to obtain, store and disseminate publicly available status information on the status of airport operations; at least one airline database networked with an airline data source usable to obtain, store and disseminate information that an airline desires to share, the at least one airline database is networked with the airport management database for exchanging the publicly available status information and the information the airline desires to share; a first airport operations advisor module having at least one of a graphical user interface and a text based interface and usable to manage airport operations, wherein the first airport operations advisor is networked with the airport management database to receive at least one of the publicly available status information and the information the airline desires to share, wherein the publicly available status information and the information the airline desires to share is shared by airport management for managing operations of an airport; and at least one second airport operations advisor module having at least one of a graphical user interface and a text based interface and usable to manage airline operations, wherein the at least one second airport operations advisor is networked with the airport management database to receive the publicly available status information and the information the airline desires to share, as recited in claim 1.

Nishimura also fails to disclose an airport operations managing system that provides decision support for airport operations, comprising a plurality of first data sources that provide publicly available airport status information to an airport management database, wherein the plurality of first data sources are connected to the airport management database, the airport management database includes a memory for storing the publicly available status information and the shared airline status information; a plurality of second data sources that provide shared airline status information to an airline database and the airport management

database, wherein the airline database is connected to the airport management database; a plurality of displays connected to the airport management database for viewing the publicly available status information and the shared airline status information from the first and the second data source; and a plurality of input devices connected to the airport management database for inputting user commands to the airport operations managing system based on the publicly available status information and the shared airline status information, wherein the airport operations managing system provides for sharing and disseminating information to a plurality of users for airport management, as recited in claim 7; or a method of providing decision support for airport operations management, comprising gathering status information on an aircraft and an airport from a plurality of data sources and storing the status information in a common decision support database accessible by airport management and at least one airline; distributing the status information to at least one display at an airport operations center; reviewing the status information on the display to identify current status of aircraft and airport operations; and implementing a response based on the status information, as recited in claim 10.

Additionally, Nishimura fails to disclose a storage medium storing a set of program instructions executable on a data processing device and usable to provide decision support for airport operations, the set of program instructions comprising instructions for gathering status information on an aircraft and an airport from at least one data source and storing the status information in a common decision support database accessible by airport management and an airline; instructions for distributing the status information to a display at an airport operations center; instructions for reviewing the status information on the display to identify current status of aircraft and airport operations; and instructions for implementing a response based on the status information, as recited in claim 16.

Nishimura discloses a flight strips management method and system for rationalizing movement of an aircraft at an airport (col. 1, lines 7-9). Nishimura specifically describes problems known to exist with traditional flight management systems, i.e., cards that give movement information such as take-off and landing times for each aircraft (col. 1, lines 22-24). To address the identified problems, Nishimura employs an automated system whereby an operator can ascertain the condition of all aircraft in the airport. Accordingly, Nishimura does not disclose an airport management system as recited in the rejected claims.

As previously asserted in the November 18, 2005 Amendment, the concept of a "flight strip" has a very narrow definition within the aviation community (i.e., to one of ordinary skill in the art). This difference is clearly identified in the Affidavit under 37 C.F.R. §1.132 submitted on November 18, 2005 and the evidentiary support submitted with the Affidavit in the Information Disclosure Statement submitted concurrently with the Amendment which has been considered by the Examiner.

The Affidavit is indicated in the outstanding Office Action as being insufficient to overcome the rejection of the claims because the "Affidavit fails to set forth facts. The Affidavit relies on opinion evidence and lacks prohibitive value." However, such is a mischaracterization of the Affidavit and the evidentiary support submitted therewith. Rather, the Affidavit clearly recites facts to include that "within the aviation community 'flight strips' are a tool used as a safety of life function within the air traffic control (ATC). Flight strips allow ATC to track and modify information about aircraft and their plans. ATC does not manage airport operations but rather is responsible for the safety of the aircraft and those people on-board. Flight strips are a tool used as a safety of life tool to accomplish the mission of ATC." Moreover, this factual definition of flight strips, is supported by the evidence submitted concurrently with the Affidavit and the Amendment of November 18, 2005 which included *Is Paper Safer? The Role of Paper Flight Strips in Air Traffic Control*. As the

Affidavit set forth specific facts and was supported by substantive evidence, the allegation that the Affidavit relies on opinion evidence and lacks probative value is false. Because objective evidence has been submitted and the Affidavit provides factual statements, the Affidavit and the submitted evidence is of probative value and should be given weight in overcoming the allegation of anticipation of the rejected claims.

As Nishimura fails to disclose each and every feature recited in the rejected claims as previously amended, withdrawal of the rejection is respectfully requested.

IV. Claim Rejections Under 35 U.S.C. §103

Claim 6 is rejected under 35 U.S.C. §103(a) as unpatentable over Nishimura in view of U.S. Patent 6,278,965 to Glass et al. (Glass); and claim 17 is rejected under 35 U.S.C. §103(a) as unpatentable over Nishimura. The rejections are respectfully traversed.

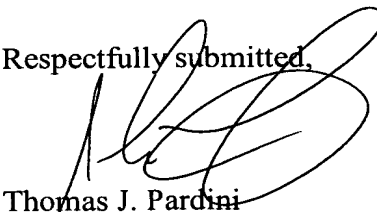
The Office Action has failed to set forth a *prima facie* case of obviousness in rejecting claims 6 and 17 as the Office Action has failed to consider the amended claim language submitted in the Amendment of November 18, 2005. Moreover, neither Nishimura or Glass whether considered alone or in combination, disclose or suggest each and every feature recited in the rejected claims as amended. Further, claims 6 and 17 are allowable for their dependency on their respective base claims for the reasons discussed above, as well as for the additional features recited therein.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3, 5-7 and 10-17 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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